

Within each zoning district category of the Zoning Ordinance, conditions of development are listed that are required wherever that district exists in the County. As these conditions address different issues or are more restrictive in their application than the rest of the Ordinance, it is critical that the builder, developer, and design consultants understand them. These conditions are listed as follows:

Sec. 19-128. Required conditions. (A District)

The conditions specified in this section shall be met in the A District.

(a) Percentage of lot coverage. All buildings, including accessory buildings, on any lot shall not cover more than 20 percent of the lot's area.

(b) Front yard. Minimum of 150 feet in depth. Minimum setbacks shall be increased where necessary to obtain the required lot width at the front building line.

(c) Side yard. Two side yards, each a minimum of 40 feet in width.

(d) Corner side yard. Minimum of 75 feet, except that a corner lot back-to-back with another corner lot shall have a corner yard not less than 40 feet.

(e) Rear yard. Minimum of 50 feet in depth.

(f) Required lot area. Each primary structure, together with accessory structures, hereafter erected

shall be located on a lot having an area of not less than 43,560 square feet and a width of not less than 150 feet.

(g) Exemptions.

(i) The requirements of this section shall not apply to any lot of record created prior to May 26, 1988. Lots exempted by this subsection shall comply with the requirements of section 19-84, except that each lot shall have a front yard having a depth of not less than 100 feet.

(ii) The front, side, corner and rear yard requirements of this section shall not apply when a variance has been granted authorizing a dwelling on a lot without public road frontage or when the existing dwelling was constructed on a lot without public road frontage prior to the April 28, 1976, requirement for public road frontage. Lots exempted by this subsection shall comply with the front, side, corner and rear yard requirements of section 19-84.

(iii) Any addition to a primary structure shall be set back from the ultimate right-of-way at least the same distance as the primary structure or the required front yard setback whichever is less. In the event that the primary structure is set back less than 40 feet from the ultimate right-of-way, then the addition shall be required to be set back at least 40 feet from the ultimate right-of-way.

Sec. 19-135. Required conditions. (O-1 District)

In addition to the other requirements of this chapter, the conditions specified in this section shall be met in the O-1 District.

(a) Except as permitted herein, no goods shall be produced for retail sale on the premises.

(b) All uses shall be conducted entirely within an enclosed building, except for accessory automobile parking.

(c) Individual buildings shall not exceed 5,000 square feet of gross floor area if located within 200 feet of an existing residentially zoned parcel or area currently zoned agricultural and shown on the comprehensive plan for residential use; but in no case shall any individual building exceed 8,000 square feet of gross floor area. Individual projects shall not exceed 5,000 square feet of gross floor area per acre, prior to any right-of-way dedication. All structures shall have an architectural style compatible with surrounding residential neighborhoods. Compatibility may be achieved through the use of similar building massing, materials, scale or other architectural features.

(d) Loading docks and drive-in loading doors shall be prohibited.

(e) With the exception of group care facilities, churches, convalescent homes, rest homes and nursing homes, no use shall be open to the public between 9:00 p.m. and 6:00 a.m.

(f) No use shall be permitted which is classified by the Uniform Statewide Building Code as high hazard.

Sec. 19-142. Required conditions. (O-2 District)

In addition to the other requirements of this chapter, the conditions specified in this section shall be met in the O-2 District.

(a) No goods shall be produced except for retail sales on the premises.

(b) All uses shall be conducted entirely within an enclosed building, except for accessory automobile parking and loading/unloading facilities.

(c) No use shall be permitted which is classified by the Uniform Statewide Building Code as high hazard.

Sec. 19-149. Required conditions. (C-1 District)

In addition to the other requirements of this chapter, the conditions specified in this section shall be met in the C-1 District:

(a) Individual buildings shall not exceed 5,000 square feet of gross floor area if located within 200 feet of an existing residentially zoned parcel or area currently zoned agricultural and shown on the comprehensive plan for residential use; but in no case shall any individual building exceed 8,000 square feet of gross floor area. Individual projects shall not exceed 5,000 square feet of gross floor area per acre, prior to any right-of-way dedication. All structures shall have an architectural style compatible with surrounding residential neighborhoods. Compatibility may be achieved through the use of similar building massing, materials, scale or other architectural features.

(b) No goods may be produced for retail sale on the premises if more than five persons are engaged in such production.

(c) All uses, including storage, shall be conducted entirely within an enclosed building, except for accessory automobile parking, loading or unloading facilities.

(d) The required number of parking spaces may be reduced by ten percent if the site is adjacent to

or within a neighborhood containing pedestrian ways that extend to the site and are constructed within the site.

(e) No use shall be open to the public between 9:00 p.m. and 6:00 a.m.

(f) No use shall be permitted which is classified by the Uniform Statewide Building Code as high hazard.

Sec. 19-156. Required conditions. (C-2 District)

In addition to the other requirements of this chapter, the following conditions shall be met in the C-2 District:

(a) No goods may be produced for retail sale on the premises, if more than ten persons are engaged in such production.

(b) Except as otherwise provided in sections 19-152(h) and (i), no outside display of merchandise for sale is permitted unless: (1) it is located within covered sidewalks or courtyard areas; (2) such areas are designed for such use; and (3) pedestrian ways are maintained.

(c) No use shall be permitted which is classified by the Uniform Statewide Building Code as high hazard.

Sec. 19-163. Required conditions. (C-3 District)

In addition to the other requirements of this chapter, the following conditions shall be met in the C-3 District:

(a) Except as provided herein, the same conditions as required in the C-2 District.

(b) No goods may be produced for retail sale on the premises, if more than 15 persons are engaged in such production.

(c) Outside display of merchandise for sale shall be permitted, provided such display conforms to the parking setbacks of the district in which it is located.

Sec. 19-170. Required conditions. (C-4 District)

In addition to the other requirements of this chapter, the following conditions shall be met in the C-4 District:

(a) Except as provided herein, the same conditions as required in C-3 District.

(b) Subject to the provisions of article VII, minimum project densities shall be 8,000 square feet

of gross floor area per gross acre for retail projects and/or 15,000 square feet of gross floor area per gross acre for office projects. This density may be provided in phases subject to approval of a phasing plan by the director of planning and the director of transportation, which plan shall include appropriate assurances that minimum densities will be met.

Sec. 19-177. Required conditions. (C-5 District)

In addition to the other requirements of this chapter, the conditions specified in this section shall be met in the C-5 District.

(a) No goods may be produced for retail sale on the premises, if more than 15 persons are engaged in such production.

(b) No outside display of merchandise for sale is permitted unless such display area conforms to the parking setbacks of this district. Further, there shall be no elevated structures to display motor vehicles.

(c) No use shall be permitted which is classified by the Uniform Statewide Building Code as high hazard.

Sec. 19-185. Required conditions. (I-1 District)

In addition to the other requirements of this chapter, the conditions specified in this section shall be met in the I-1 District.

(a) All uses, including storage, shall be conducted entirely within an enclosed building, except for accessory parking, loading and unloading facilities.

(b) No use shall be permitted that is classified by the Uniform Statewide Building Code as high hazard or, by reason of its nature or manner of operation, is or may become more hazardous, objectionable or offensive than other uses permitted by right in this district and is incompatible with such other uses because of odor, dust, smoke, cinders, fumes, noise, vibration, wastes, fire, explosion, glare or unsightliness.

(c) The uses permitted in this district shall be those uses which are dependent upon raw materials first processed elsewhere.

(d) In addition to any other requirement of this chapter, and except where adjacent to a railroad, the uses permitted in this district, plus any accessory uses, shall be located at least 100 feet from any A, R, R-TH or R-MF District, subject to section 19-223.

(e) Loading areas shall be oriented away from any existing R, R-TH or R-MF District or property currently zoned agricultural and shown on the comprehensive plan for residential use.

Sec. 19-192. Required conditions. (I-2 District)

In addition to the other requirements of this chapter, the conditions specified in this section shall be met in the I-2 District.

(a) The uses permitted in this district are those uses which are dependent upon raw materials first processed elsewhere.

(b) No use shall be permitted that is classified by the Uniform Statewide Building Code as high hazard or, by reason of its nature or manner of operation, is or may become more hazardous, objectionable or offensive than other uses permitted by right in this district; and is incompatible with such other uses because of odor, dust, smoke, cinders, fumes, noise, vibration, wastes, fire, explosion, glare or unsightliness.

(c) In addition to any other requirement of this chapter, and except where adjacent to a railroad, the uses permitted in this district, plus any accessory uses, shall be located at least 200 feet from any A, R, R-TH or R-MF District, subject to section 19-223.

Sec. 19-199. Required conditions. (I-3 District)

In addition to any other requirements of this chapter, and except where adjacent to a railroad, the uses permitted in the I-3 District, plus any accessory uses, shall be located at least 300 feet from any A, R, R-TH or R-MF District and at least 200 feet from any O, C or I-1 District, subject to section 19-223.